

REMARKS/ARGUMENTS

Claims 27-29 and 30 remain in this application. Claims 1-24 have been withdrawn as the result of an earlier restriction requirement.

In view of the Examiner's earlier restriction requirement, Applicant retains the right to present claims 1-24 in a divisional application.

New Claims

Applicant has added new independent claim 30, which is the same as originally-filed claim 25 additionally calling for a curved plate “in which no bend radius is less than the minimum thickness of the curved plate”. This limitation is principally supported by drawing Figure 6.

The Examiner rejected originally-filed claim 25 under 35 USC 102(b) as being anticipated by Losada (US 6,273,316). However, Losada '316 does not teach a curved plate “in which no bend radius is less than the minimum thickness of the curved plate”. The Losada '316 plate comprises bend radii that are all greater than the minimum thickness of the Losada '316 plate.

Applicant has added new independent claim 31, which is the same as originally-filed claim 25 additionally calling for “the track [to be] shaped to conform with the curved shape of the plate and to match the contour of and closely receive substantially all of the curved plate along the first

top side of the curved plate and along the second bottom side of the curved plate on both sides of the stud, except adjacent the stud and the free edge.”

The Examiner rejected originally-filed claim 25 under 35 USC 102(b) as being anticipated by Losada (US 6,273,316). However, Losada '316 does not teach a track “shaped to conform with the curved shape of the plate and to match the contour of and closely receive substantially all of the curved plate along the first top side of the curved plate and along the second bottom side of the curved plate on both sides of the stud, except adjacent the stud and the free edge.” The Losada '316 track is flat above and below the contour variations in the Losada '316 plate, angling only to accommodate the attachment leg of the Losada '316 plate.

Claim Rejections – 35 USC Section 112

The Examiner has rejected claim 27 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has rewritten claim 27 to overcome the rejection under 35 USC 112, second paragraph, in independent form including all of the limitations of the base claim, claim 25, as any intervening claims, of which there are none. Amended claim 27 positively claims the groove that the Examiner objected for lack of antecedent basis.

Claim Rejections – 35 USC Section 102

The Examiner has rejected claim 25 under 35 USC 102(b) as being anticipated by Losada (US 6,273,316). However, the Examiner has repeated the Examiner's previous rejection of claim 25, which does not address the most recent amendments to claim 25. Importantly, the Examiner has not addressed the limitation that requires the track to “match the contour of” substantially all of the curved plate “along the first top side of the curved plate and along the second bottom side of the curved plate.” The track of Losada '316 does not match the contour of substantially all of the plate of Losada along either, let alone both, of its sides. The track of Losada '316 conforms to the plate only at the leg extension; the actual bend in the plate that creates the leg extension is an acute angle, whereas the bend in the track is an obtuse angle.

Allowable Subject Matter

The Examiner has indicated that “[c]laims 28 and 29 are allowed over the prior art of record.

The Examiner has objected to “[c]laim 26 ... as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim as any intervening claims.”

Applicant has rewritten claim 26 in independent form including all of the limitations of the

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base claim, claim 25, as any intervening claims, of which there are none.

The Examiner also indicated that “[c]laim 27 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.”

Applicant has rewritten claim 27 to overcome the rejection under 35 USC 112, second paragraph, in independent form including all of the limitations of the base claim, claim 25, as any intervening claims, of which there are none.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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